

**IOWA DEPARTMENT OF NATURAL RESOURCES  
ADMINISTRATIVE CONSENT ORDER**

**IN THE MATTER OF:**

**Adams Pork d/b/a Dan Adams**

Facility ID #61926

Section 7, Lincoln Township

Polk County, Iowa

**ADMINISTRATIVE CONSENT ORDER**

**NO. ~~2006~~-AFO-02**

*2007*

**TO: Dan Adams  
15283 Northwest 58<sup>th</sup> Street  
Polk City, Iowa 50266**

**VIOLATION:** 567 Iowa Administrative Code (IAC) 65.16(3)"b". You failed to submit an updated manure management plan (MMP) to the department, to the board of supervisors of the county where your confinement feeding operation is located, and to the board of supervisors of each county where manure from your confinement feeding operation is land-applied, by June 1, 2006, 567 IAC 65.16(3)"c". You also failed to submit your annual compliance fee of \$0.15 per animal unit capacity at your animal feeding operation by that date. You were sent a notice of these requirements on April 13, 2006, a notice of delinquency on June 14, 2006, and a second notice of delinquency on July 25, 2006. You have since submitted the updated MMP and fees to DNR Field Office 5

**ORDER:** You shall pay a penalty of \$1,500.00 within 30 days from the date the Director signs this consent order. \$750.00 of this amount is based on the gravity of the violation, considering the size of this facility; agency costs in addressing this violation, the importance of the animal feeding operation program, and the threat to the integrity of the animal feeding operation program. \$750.00 of this amount is for culpability, since you were sent three notices of the requirements.

**AUTHORITY:** Iowa Code §455B.109, §459.103(3); 567 IAC 10.3, 65.16(3)"b" and "c".

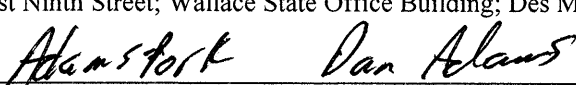
**APPEAL:** This consent order is entered into knowingly by and with the consent of Adams Pork d/b/a Dan Adams. For that reason, Adams Pork d/b/a Dan Adams waives the right to appeal this consent order.

**NONCOMPLIANCE:** If you fail to comply with this consent order you may be subject to further penalties pursuant to Iowa Code §455B.109 or penalties and injunction pursuant to Iowa Code §455B.191 and §459.603.

  
JEFFREY R. VONK, DIRECTOR

IOWA DEPARTMENT OF NATURAL RESOURCES

502 East Ninth Street; Wallace State Office Building; Des Moines, Iowa 50319

  
For Adams Pork d/b/a Dan Adams

Dated this 11 day of  
January, 2007

Dated this 29 day of  
Dec, 2006